IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
Contempt petition No. 35 of 2007

1. Principal, Bhartiya Vidya Bhavan Campus School, Pantnagar, District Udham Singh Nagar.
2. President/Chairman, Bhartiya Vidya Bhavan Campus School, Pantnagar, District Udham Singh Nagar.....Petitioners

VS

1. R.S. Tolia Chief Information Commissioner, Uttaranchal, Sector-1, C-10, Defence Colony, Dehradun.
2. Smt. Mridula Singh, Science Teacher, Bharatiya Vidya Bhavan Campus School, Pantnagar, District U.S. Nagar. ..Respondents

Sri Lalit Belwal, learned counsel for the petitioner.
Sri S.Dhulia learned senior advocate for the respondents.

Hon'ble B.S. Verma, J.

Heard Sri Lalit Belwal, learned counsel for the petitioners and Sri S.Dhulia, learned senior advocate for the respondents.

By means of this contempt petition, the petitioners have prayed to punish the respondents for flouting the order dated 5-9-2006 passed in Writ petition No.1108 (M/B of 2006, Principal, Bhartiya Vidhya Bhavan Campus School and another Vs. Uttaranachal Information Commission and others, which was passed by this Court.

It reveals from the Annexure No.A-4 contained to the contempt petition that in compliance of this Court order dated 5-9 -2006, the order dated 19-9-2006 passed by the Information Commissioner has been suspended.

According to the learned counsel for the petitioners the order has not been withdrawn. The argument of the learned counsel in this regard is misconceived because the writ petition is pending.

Learned counsel for the petitioners seeks permission to withdraw the contempt petition.

Permission granted.

The contempt petition is dismissed as withdrawn with liberty if the cause of action is survive in future, the petitioners may file a fresh petition.

(B.S. Verma, J)

Dated: 13th March 2007

M.K.